

Notice of Allowability

Application No.

09/764,352

Examiner

Chih-Ching Chow

Applicant(s)

MASUDA ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/16/07.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 1/22/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6/6/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Amendment and Statement of Reasons for Allowance

1. This action is responsive to Applicant's amendment filed April 16, 2007.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Temnit Afework, Registration Number 58,202, on June 6, 2007 for obviating any potential 101 issues and put the claims in condition for allowance.

The application has been amended as follows:

1. (CURRENTLY AMENDED) An installation method of an application program, comprising:

extracting a reserved word of a macro instruction in a data file automatically after having analyzed the data file based on a stored reserved word, the reserved word extracted being a content within the data file ~~and set by an application program used to create the data file;~~

selecting a version from an installed version list of the application program ~~useable to access the data file based on a comparison of~~ for the extracted reserved word automatically with stored reserved words of application programs, wherein the reserved word is an application program that is to be installed;

determining whether the selected version of the application program is already installed;

installing the selected version of the application program automatically upon determining that the version of the application program is not installed; and

executing the selected version of the application program automatically ~~already installed upon determining that the selected version is installed by~~ executing the macro instruction.

2. (CURRENTLY AMENDED) The installation method mentioned in claim 1, wherein:

the selecting of the version of the application program suited for the data file is decided by the extracted reserved word and the installed version list of version of the application program ~~enabled to read the reserved word is determined using the reserved word~~.

3. (PREVIOUSLY PRESENTED) The installation method mentioned in claim 1, wherein:

a syntax pattern of the macro instruction included in the data file is extracted, and

the version of the application program suited for the data file is decided by the syntax pattern and the version of the application program enabled to read the syntax pattern is determined by comparing the syntax pattern with stored syntax patterns.

4. (CURRENTLY AMENDED) A method of activating an application program, comprising:

extracting at least one of a plurality of reserved words of macro instructions in ~~at least two data files~~ a data file automatically after having analyzed the data files file based on stored reserved words, the reserved words extracted being contents within the data file ~~files and set by an application program used to create the data files;~~

selecting a version from an installed version list of the application program ~~useable to access a data file based on a comparison of at least one of~~ for the extracted reserved words automatically, with stored the reserved words ~~of being an~~ application ~~programs~~ program to be installed;

displaying simultaneously the data file and the selected version of the application program ~~of a version decided thereby;~~ and

activating the ~~displayed~~ selected version of the application program ~~in relation to any one of the analyzed data files and executing an application program already installed upon determining that the selected version is installed~~ automatically by executing the macro instructions.

5. (CURRENTLY AMENDED) The activation method mentioned in claim 4, wherein:

the ~~readable~~ data file is displayed with a format corresponding to the application program.

6. (CURRENTLY AMENDED) The activation method mentioned in claim 4, wherein:

only the ~~readable~~ data file corresponding to a version of the application program is displayed when the application program is selected.

7. (PREVIOUSLY PRESENTED) The activation method mentioned in claim 4, wherein:

the installation of a corresponding application program is executed when an application program corresponding to the data file does not exist.

8. (PREVIOUSLY PRESENTED) The installation method mentioned in claim 3, further comprising:

eliminating an existing file if insufficient space exists when the application program is executed.

9. (CURRENTLY AMENDED) A computer-readable storage medium on which an application program is recorded, the application program when executed by the computer, causes the computer to execute the functions comprising:

extracting at least one of a plurality of reserved words of macro instructions in ~~at least two data files~~ a data file automatically after having analyzed the data ~~files~~ file based on stored reserved words, the reserved words extracted being contents within the data file ~~files and set by an application program used to create the data files~~;

selecting a version from an installed version list ~~of the application program~~ ~~useable to access a data file based on a comparison of at least one of the~~ for the extracted reserved words automatically, the reserved words ~~of being an application~~ programs program to be installed;

displaying simultaneously the data file and the selected version of the application program ~~of a version decided thereby~~; and

~~activating and installing the displayed selected version of the application program in relation to any one of the analyzed data files and executing an application program already installed upon determining that the selected version is installed automatically by executing the macro instructions.~~

10. (CURRENTLY AMENDED) An apparatus for ~~executing~~ activating an application program, comprising:

a memory storing reserved words;

~~an extracting unit extracting at least one of a plurality of reserved words of macro instructions in at least two~~ a data files file automatically after having analyzed the data files file based on the stored reserved words, the reserved words extracted being contents within the data files file and ~~set by an application program used to create the data files;~~

~~a selecting unit selecting a version from an installed version list of an application program useable to access the data files based on a comparison of at least one of~~ for the extracted reserved words automatically, with stored the reserved words being an application program that is to be installed of application programs;

~~a displaying unit simultaneously displaying the readable data file and the selected version of the application program of a version decided thereby; and~~

~~an activating unit activating the displayed selected version of the application program automatically in relation to any one of the analyzed data files and executing an application program already installed upon determining that the selected version is installed by executing the macro instructions.~~

11. (CURRENTLY AMENDED) An apparatus for installing an application program, comprising:

a memory storing reserved words;

an extracting unit extracting at least one of a plurality of reserved words of macro instructions in a data file automatically after having analyzed the data file based on the stored reserved words, the reserved words being a content within the data file ~~and set by an application program used to create the data file;~~

a selecting unit selecting a version from an installed version list of the application program useable to access the analyzed data file based on a comparison of an for the extracted reserved words automatically, ~~with stored~~ the reserved words ~~of application programs~~ being an application program that is to be installed;

a judging unit judging whether the application program of a ~~decided~~ the selected version is already installed; and

an installation unit installing the selected version of the application program ~~of the version~~ automatically when the ~~decided~~ selected version of the application program is not installed; and

executing the selected version of ~~where~~ the application program automatically already installed is executed upon determining that the selected version is installed by executing the macro instructions.

12. (cancelled)

13. (cancelled)

14. (cancelled)

15. (cancelled)

-- The End --

Examiner's Statement of Reason(s) for Allowance

3. Claims 1-11 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The prior arts of record: **Davis**, teaches a method that provides for automatically installing software on heterogeneous computer systems. In a distributed system having heterogeneous computer systems having dissimilar hardware or software components or dissimilar configuration information, such as different natural languages, different operating system types, different network operating system types, and different processor types, the present invention automatically installs the appropriate edition of software on computers. **Donohue**, teaches a method and mechanism for automating updating of computer programs. Conventionally, computer programs have been distributed on a recording medium for users to install on their computer systems. Each time fixes, additions and new versions for the programs were developed, a new CD or diskette was required to be delivered to users to enable them to install the update. New arts made of record: US Patent 6,035,423 by **Hodges** et al., teaches method for updating antivirus files on a computer using push technology is disclosed. In a preferred embodiment, updated virus signature files or other updated antivirus information is loaded onto a central antivirus server, while local push agent software is installed on the client computer. US Patent No. 6,256,668 by **Slivka** et al., teaches creators of computer software provide the most up-to-date versions of their computer software on an update service. A user who has purchased or downloaded free computer software calls an update service or a network service provider (e.g., an Internet provider) on a periodic basis. The update or network service automatically inventories the user computer to determine what computer software (e.g., a network browser)

may be out-of-date, and/or need maintenance updates. US Patent No. 6,862,615 by **Ehrlich** et al, teaches a feature coordination interface between the Operating System (OS) and a Special Purpose Processor (SPP) in a computer system. Both the OS and SPP maintain a list of bit masks, identified by word numbers, where an associated bit is set in an associated bit mask if the OS or SPP supports a feature identified by the bit. US Patent No. 6,434,744 by **Chamerlain** et al., teaches a system and method for patching an installed application program and making an installer program aware that an application has been patched is disclosed. And US 2002/0135614 A1 by **Bennett**, teaches a method of presenting catered information to a user, the method comprising: a) identifying an item to be output to the user; b) retrieving sub-items from storage; c) building output from the sub-items; d) presenting the output to the user; and e) recording any user interface activity in storage. However, none of them, taken alone or in combination, teaches an installation and activating method that extracting a reserved word of a macro instruction in a data file automatically after having analyzed the data file based on a stored reserved word, the reserved word extracted being a content within the data file, selecting a version from an installed version list for the extracted reserved word automatically, wherein the reserved word is an application program that is to be installed; determining whether the selected version of the application program is already installed; installing the selected version of the application program automatically upon determining that the version of the application program is not installed; and executing the selected version of the application program automatically by executing the macro instruction, in such a manner as recited in independent claims 1, 4, 9, 10, and 11.

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5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Ching Chow whose telephone number is 571-272-3693. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chih-Ching Chow
Examiner
Art Unit 2191
June 12, 2007

CC

WELZHEN
PATENT EXAMINER
JUN 13 2007